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9 Attorneys for Plaintiff
UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 EDGAR JOEL MARTINEZ-REYES, ET
16 AL.,

17 Defendants.

No. 2:23-524 (A) -DMG

GOVERNMENT'S EX PARTE MOTION TO
CONSOLIDATE DOCKET; DECLARATION OF
JULIE J. SHEMITZ

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19 Plaintiff United States of America, by and through its counsel
20 of record, the United States Attorney for the Central District of
21 California and Assistant United States Attorney Julie J. Shemitz,
22 hereby files its ex parte motion to consolidate the docket in this
23 case.

24 This motion is based upon the attached declaration of Julie J.
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1 Shemitz, the files and records in this case, and such further
2 evidence and argument as the Court may permit.

3 Dated: July 23, 2024

Respectfully submitted,

4 E. MARTIN ESTRADA
United States Attorney

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6 MACK E. JENKINS
Assistant United States Attorney
Chief, Criminal Division

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8 /s/
JULIE J. SHEMITZ
9 Assistant United States Attorney

10 Attorneys for Plaintiff
UNITED STATES OF AMERICA
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DECLARATION OF JULIE J. SHEMITZ

I, Julie J. Shemitz, declare as follows:

1. I am an Assistant United States Attorney for the Central District of California assigned to prosecute this case. I have knowledge of the facts set forth herein and could and would testify to those facts fully and truthfully if called and sworn as a witness.

2. On May 25, 2023, a grand jury for the Central District of California returned an indictment in United States v. Sai Zhang, et al., 2:23-cr-258-DMG, charging ten defendants with violations of 18 U.S.C. §§ 1956 and 1960. The case was assigned to this Court. Eight of the ten defendants have appeared and counsel either retained or appointed.

3. On October 25, 2023, a grand jury for the Central District of California returned an indictment in United States v. Edgar Joel Martinez-Reyes, et al., 2:23-cr-524-DMG, charging 14 defendants with violations of 21 U.S.C. §§ 846 and 841(a)(1), 18 U.S.C. § 1956(h), 18 U.S.C. §§ 371 and 1960, and related charges. A notice of related case was filed and this Court accepted the case for trial. Twelve of the 14 defendants have appeared and counsel either retained or appointed.

4. On April 4, 2024, a grand jury for the Central District of California returned a first superseding indictment in United States v. Edgar Joel Martinez-Reyes, et al., 2:23-cr-524(A)-DMG, joining all 24 defendants in one indictment because of the related nature of the cases. Two defendants, Diego Acosta Ovalle (#16), and Leopoldo Bernal (#21) are the only defendants to have appeared on the superseding indictment thus far. No other defendants have appeared or been arraigned on the superseding indictment.

1 5. Following the return of the First Superseding Indictment, I
2 contacted the clerk's office to attempt to clarify the docket and
3 spoke to a clerk supervisor. Despite his best efforts, the clerk's
4 office has not yet been able to change the docket to accurately
5 reflect either the correct order of defendants as set forth in the
6 First Superseding Indictment or, more importantly, counsel for the
7 defendants who were originally named in the first indictment (United
8 States v. Zhang, et al., 2:23-cr-258-DMG). As of now, the docket
9 shows an improperly numbered list of defendants that does not
10 correspond to the superseding indictment, and no information about
11 the identity of counsel already appearing for these defendants.

12 6. After consultation with the clerk's office supervisor, it
13 was requested that the government file the instant motion, requesting
14 the Court to order the docket changed.

15 7. Therefore, by this motion, the United States is
16 respectfully requesting that this Court order the clerk's office to
17 revise the docket for United States v. Martinez-Reyes, et al., 2:23-
18 cr-524(A) to:

19 a. Accurately reflect the order of defendants as they
20 appear in this First Superseding Indictment; and

21 b. Add the names of counsel for the defendants originally
22 named in United States v. Zhang, et al., 2:23-cr-258-DMG, who will
23 continue to represent their respective clients in this case.

24 8. On July 23, 2024, I contacted all defense counsel in this
25 case to determine if any objected to this ex parte motion. I
26 received no objections.

27 I declare under penalty of perjury under the laws of the United
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1 States of America that the foregoing is true and correct and that
2 this declaration is executed at Los Angeles, California, on July 24,
3 2024.

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6 JULIE J. SHEMITZ
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